

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ZIEBART INTERNATIONAL CORPORATION,
a Michigan corporation, ZIEBART
CORPORATION, a Michigan corporation

Plaintiffs,

vs.

Case No. 2:12-cv-12001
Hon. George Caram Steeh
Magistrate Michael J. Hluchaniuk

WAGGONER ENTERPRISES, INC, a Minnesota
corporation and JAMES C. WAGGONER, JR.,
an individual, jointly and severally

Defendants.

**DEFAULT JUDGMENT FOR SUM CERTAIN AGAINST
DEFENDANTS WAGGONER ENTERPRISES, INC. and JAMES C. WAGGONER, JR.**

This Court entered a Default Judgment and Order for Permanent Injunction against Defendants WAGGONER ENTERPRISES, INC. and JAMES C. WAGGONER, JR., jointly and severally, on July 12, 2012 (Doc. #16), which among other things, permanently enjoined said Defendants from undertaking certain activities related to a business Defendants have operated at 635 Franklin Ave., NE, St. Cloud, MN. Subsequently, an Order Granting Plaintiffs' Motion for Contempt (Doc. #19) was entered on December 11, 2012 which set forth that:

From and after January 7, 2013, and for each day thereafter, defendants shall pay to plaintiffs a civil penalty of \$100.00 per day, continuing until defendants have complied with court orders or for 28 days, whichever is first. If defendants have not complied with this court's orders after 28 days, the civil penalty against defendants shall increase to \$500.00 per day and continue for an additional 28 days. Persistent failure to comply with this order by defendants will result in additional penalties, including additional fines and/or incarceration and reimbursement of plaintiffs' attorney fees.

The Court also entered an Order Granting in Part Plaintiff's Motion for Sanctions against Defendants (Doc. #24) on May 16, 2013 (Doc. #27) which set forth that:

Concerning appropriate civil penalties, it appears that the threat of such penalties resulted in the actions taken by defendants, although it is unclear when these actions were taken. Moreover defendants have failed to meet with all of the requirements set forth in former court orders. For these reasons, the court will award the requested penalties of \$100 x 28 days, as well as an award of plaintiffs' attorney fees in the amount of \$19,000.00.

IT IS ORDERED that Judgment for a sum certain, in accordance with the Default Judgment and prior Orders entered, is granted in favor of Plaintiff Ziebart International Corporation, a Michigan corporation and Ziebart Corporation, a Michigan Corporation against Defendants Waggoner Enterprises, Inc., a Minnesota corporation and James C. Waggoner, Jr., an individual, jointly and severally in the amount of Two Thousand Eight Hundred and 00/100 (\$2,800.00) Dollars for penalties and Nineteen Thousand and 00/100 (\$19,000.00) Dollars for an award of Plaintiffs' attorney fees for a total Judgment amount of Twenty One Thousand Eight Hundred and 00/100 (\$21,800.00) Dollars.



U.S. District Court Judge

Dated: 10-22-13